

E-FILED on 07/06/09

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

LAFAYETTE HAYES,

Plaintiff,

v.

DR. WILLIAMS, et al.,

Defendants.


No. C-05-00070 RMW

ORDER REGARDING THE PARTIES'
CONSENT TO PROCEED BEFORE A
MAGISTRATE

On September 9, 2008, the parties in this case filed a joint case management statement which stated in paragraph 13 that, "[t]here has not been consent to proceed before a magistrate judge for all purposes." Joint Case Management Conference Statement ¶ 13 (Docket No. 32). On February 27, 2009, the parties again filed a joint case management statement, but this time stated in paragraph 13 that "[t]he parties consent to have a magistrate judge conduct all further proceedings including trial and entry of judgment." Joint Further Case Management Conference Statement ¶ 13 (Docket No. 44). On July 2, 2009, plaintiffs filed a separate case management statement including the same statement regarding consent to proceed before a magistrate. Plaintiff's Further Case Management Conference Statement ¶ 13 (Docket No. 53). The court has been informed by plaintiff's counsel that plaintiff may not, in fact, consent to proceed before a magistrate. If the parties have agreed to proceed before a magistrate, the court requests that they file a consent form so stating. The form is available from the Northern District of California web site. If the parties do not consent to proceed

1 before a magistrate, they should file a withdrawal, in writing, of the consent that appears to have
2 been given in the case management statements filed with the court.

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5 DATED: 07/06/09



RONALD M. WHYTE
United States District Judge

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United States District Court
For the Northern District of California

1 **Notice of this document has been electronically sent to:**

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8 Counsel are responsible for distributing copies of this document to co-counsel that have not
9 registered for e-filing under the court's CM/ECF program.

10
11 **Dated:** 07/06/09

JAS
Chambers of Judge Whyte

United States District Court
For the Northern District of California